

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**Sid Miller**, et al.,

Plaintiffs,

v.

**Tom Vilsack**, in his official capacity as  
Secretary of Agriculture,

Defendant.

Case No. 4:21-cv-00595-O

**PLAINTIFFS' RESPONSE TO MOTION TO STAY PROCEEDINGS**

The plaintiffs continue to believe that the Court was correct to deny intervention, and they will vigorously defend the Court's ruling before the Fifth Circuit. But in light of the Fifth Circuit's recent decision to expedite the Federation's appeal, which ensures that the case will be argued at the next available argument sitting, the plaintiffs take no position on the Federation's request to stay proceedings and leave the matter to the discretion of the Court. The plaintiffs had previously opposed a stay of proceedings out of concern that it would unduly delay the Court's eventual resolution of this case, but the Fifth Circuit's scheduling order has allayed those concerns and assures us that the Federation's interlocutory appeal will be resolved expeditiously.

Respectfully submitted.

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Dated: December 29, 2021

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### CERTIFICATE OF SERVICE

I certify that on December 29, 2021, I served this document through CM/ECF

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